

## REMARKS

Reconsideration of the application is requested.

Claims 2 – 9 and 17 are now in the application. Claims 1 and 10 - 16 have been canceled.

The new claim 17 is supported in prior claims 1 and 10. Further support is found on page 2 of the specification, lines 11-14 and lines 23-28.

We now turn to the art rejection, in which claims 1-3, 5, 6, 8-10, 15 and 16 have been finally rejected as being anticipated over Throne-Booth (US 3,519,805) under 35 U.S.C. § 102(b).

While we believe that the claims, as previously presented are patentable over the cited art, we propose the above amendment in an effort to expedite the application. We respectfully traverse the rejection on the basis of the further amended claims.

The primarily important difference between the prior art and claim 17 is as follows: before the rail vehicle is braked for the first time by way of the process according to the invention, a linear function is defined and stored as a characteristic curve. The characteristic curve provides for the dependence of the desired negative setpoint acceleration from the velocity of the rail vehicle. During the actual braking process, the system refers back to the characteristic curve.

Determining the characteristic curve once and storing the characteristic curve, results in the advantage that smooth braking to a standstill is always assured solely by way of the electrodynamic brake.

Throne-Booth, of course, does not contain any information concerning a characteristic curve or even a comparable system. There, the braking process is controlled with reference to a given stopping location. The rail vehicle must necessarily be stopped at the predetermined location.

The secondary reference does not make up for the differences either.

Neither Throne-Booth nor Anderson (US 4,270,710) contains any information concerning a pertinent characteristic curve, namely, a curve that describes the setpoint deceleration in dependence on the velocity of the vehicle. Accordingly, the combination of the reference teachings cannot provide a hint with regard to the claimed electrodynamic braking process.

In summary, none of the prior art references, whether taken alone or in any combination, either show or suggest the features of claims 2-7 or 17. These claims are, therefore, patentable over the art of record.

In view of the foregoing, the entry of the amendment and the allowance of the claims are solicited.

If an extension of time is necessary for this paper, petition for extension is herewith made. Please charge any fees which might be due with respect to Sections 1.16 and 1.17 to the Deposit Account of Lerner Greenberg Stermer LLP, No. 12-1099.

Respectfully submitted,

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